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Attorneys for Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

**LAUREL JEFFREY,**

Plaintiff,

vs.

**EMERALD SWIMMING POOLS OF  
OREGON, dba EMERALD POOL;  
VANCE NEELY,**

Defendants.

Case No. 6:22-cv-1427-MC

DEFENDANTS' OFFER OF JUDGMENT  
TO PLAINTIFF LAUREL JEFFREY

Pursuant to Fed. R. Civ. P. 68, Defendants Emerald Swimming Pools of Oregon, dba Emerald Pool, and Vance Neely (collectively, “Defendants”) offer judgment to be taken against them by Plaintiff Laurel Jeffrey (“Plaintiff”) in the total amount of Twenty-Five Thousand Dollars and Zero Cents (\$25,000.00) on all causes of action in Plaintiff’s Complaint filed on September 22, 2022, exclusive of reasonable costs and fees incurred by Plaintiff on or before the date of this Offer. The entitlement to and amount of potentially recoverable reasonable costs and fees incurred prior to the date this Offer was made, if any, shall be determined by the Court upon application by Plaintiff.

Plaintiff may accept this Offer by serving written notice of acceptance within fourteen (14) days after service of this Offer. Payment of any judgment resulting from this Offer will be subject to all withholdings required by law. Pursuant to Fed. R. Civ. P. 68 and Fed. R. Evid. 408, if this Offer is not accepted within fourteen (14) days, it shall be deemed withdrawn and evidence thereof shall not be admissible except in a proceeding to determine reasonable costs and fees.

This Offer is for settlement purposes only and does not constitute an admission as to the validity of Plaintiff's claims. If this Offer is not accepted and filed within the time prescribed in Fed. R. Civ. P. 68, this Offer shall be deemed withdrawn, and shall not be given in evidence at trial and may be filed with the Court only after the case has been adjudicated on the merits and only if Plaintiff fails to obtain a judgment more favorable than this Offer. In such case, Plaintiff shall not recover costs, prevailing party fees, disbursements, or attorney fees incurred after the date of this Offer, but Defendants shall recover from Plaintiff their costs and disbursements from the date of the service of this Offer.

Dated: February 24, 2023

LITTLER MENDELSON, P.C.

/s/ Anthony D. Kuchulis

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Attorneys for Defendants

DEFENDANTS' OFFER OF JUDGMENT  
IS HEREBY ACCEPTED

/s/Caitlin Mitchell

Attorney for Plaintiff Laurel Jeffrey

**CERTIFICATE OF SERVICE**

I hereby certify that on February 24, 2023, I served a full, true, and correct copy of the foregoing DEFENDANTS' OFFER OF JUDGMENT TO PLAINTIFF LAUREL JEFFREY on the following parties:

Jennifer J. Middleton  
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JOHNSON JOHNSON LUCAS &  
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Of Attorneys for Plaintiff

by the following indicated method(s) set forth below:

- ☐ **Electronic Filing using the Court's ECF System**
- ☒ **Email**
- ☐ **Hand Delivery**
- ☒ **First-class mail, postage prepaid**

By: /s/ Sam Arney  
Sam Arney

**CERTIFICATE OF SERVICE**

I certify that on March 27, 2023 , a true copy of the **DEFENDANTS' OFFER OF JUDGMENT TO PLAINTIFF AND PLAINTIFF ACCEPTANCE** was served as indicated below:

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☐ Email  
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